IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33990 of 2008
PANKAJ SINGH
Versus
STATE OF BIHAR

For the petitioner – Mr. Mukesh Kr. Singh, Adv.
For the State – Mr. J.S.P. Singh, A.P.P.
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2. 20/8/2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is being prosecuted under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per the First Information Report, allegation is that the petitioner has fired at Santosh Kumar causing his death.

Learned counsel for the petitioner submits that the allegation against the petitioner is totally false and the same is not being supported by the post-mortem report because as per allegation, Pankaj Singh, who is petitioner here, has fired at Santosh Kumar while he was fleeing away but post-mortem report goes to show that wound of entry is on chest. Submission is that the allegation is not supported by the post-mortem report. Further submission is that the petitioner is in jail custody since 21.1.2008.

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Learned counsel for the State submits that there is direct allegation of firing upon Santosh Kumar by the petitioner causing his death.

In the facts and circumstances of the case and in view of the aforesaid submissions, I am not inclined to grant bail to

the petitioner. Hence, this application is rejected.

S.Ali **(Dr. Ravi Ranjan, J.)**

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